(MR. SPEAKER.)

consisting of the following members, with a direction to report within three days :

Sriyuts.—

1. R. Anantharaman.
2. B. P. Nagaraja Murthy.
3. B. Narayanaswamy.
4. V. Masiyappa.
5. G. A. Thimappa Gowda.
6. K. Pattabhiraman.
7. B. T. Kemparaj.
8. T. C. Basappa.
9. S. Srinivasa Iyenger."

The motion was adopted.

Mr. SPEAKER.—According to Rule 56, the Minister for Law will also be a Member of the Committee. Under Rule 57, I appoint the Law Minister as Chairman of the Select Committee.

MYSORE VILLAGE OFFICES (AMENDMENT) BILL, 1953.

Sri KADIDAL MANJAPPA (Minister for Revenue and Public Works).—Sir, I beg to move:

> "That the Mysore Village Offices (Amendment) Bill, 1953, as reported by the Select Committee, be taken into consideration."

Sir, on a previous occasion, at the stage of consideration, it was pointed out by several members that some of the clauses of the Bill will work as a great hardship and therefore some of the clauses require modification. With the object of reducing the hardship, the Select Committee have unanimously sent up this report. In the original Bill, Clause (1) of Section (2) reads like this :

> "Provided that the Deputy Commissioner or Assistant Commissioner may, if satisfied that there is a *prima facie* case of misconduct against any holder of a village office, place such holder under suspension till the disposal of the case or until further orders."

The Select Committee have modified the clause and confined the occasions when a Deputy Commissioner can keep the village officer under suspension. It is only in two cases, *i.e.*, for cases of misappropriation and for misconduct of grave nature. Further, the Select Committee have thought it fit to empower only the Deputy Commissioner and the Assistant Commissioner to take action under this clause.

Next coming to Section 3, it was provided in the original Bill that the village officer must own landed property of value not less than twice the annual *jamabandi* or that he should furnish cash security not less than one-fourth of the annual *jamabandi*. These provisions were considered by the Select Committee as very harsh and therefore, they have modified the clause. Now under the clause as modified by the Select Committee, the discretion is left to the Deputy Commissioner to call for security from a village officer in case he finds from the conduct of the village officer that such a course is necessary. The Bill is so amended by the Select Committee that is very harmless and under these circumstances I commend the measure for the acceptance of the House.

Sri B. HUTCHE GOWDA (Turuvekere).—What are the improvements made by the Select Committee?

Sri KADIDAL MANJAPPA.—There are a lot of improvements made. In the original Bill the Deputy Commissioner, the Assistant Commissioner and the Amildar were authorised to keep a village officer under suspension when there was a *prima facie* case of misconduct. The word 'misconduct' is not very clear. Therefore the Select Committee have modified that clause and confined the occasions when the officer can take action to only cases of misappropriation and other cases of misconduct of grave nature, and that only the Deputy Commissioner or the Assistant Commissioner are authorised to take action and not the Amildar.

So far as the security and property qualifications are concerned, under the original Bill, no person is eligible for appointment to the office of Patel or Shanbhog unless " he owns landed property of the value of not less than twice the annual *jamabandi* of the village, or he furnishes a cash security of not less than one-fourth of the annual *jamabandi* of the village, provided that the Deputy Commissioner may, for special reasons, approve the appointment of a person who owns landed property the value of which is less than that specified in clause (i) or who furnishes cash security of less than the amount specified in clause (ii)." In the amended Bill, the Deputy Commissioner is given the discretion in certain cases to require the village officers to furnish security. The clause reads like this :

> " 9-A. Security to be furnished by Patels and Shanbhogs.—
>
> Notwithstanding anything contained in Sections 7, 8 and 9, if, in the opinion of the Deputy Commissioner, the conduct of a Patel or Shanbhog, not being a person who owns any immovable property, necessitates the requirement of security, the Deputy Commissioner, may, by order, require the Patel or Shanbhog concerned, to furnish cash or other security of an amount or value not exceeding in any case one-fourth of the annual *jamabandi* of the village, within a period of three months from the date of the order, or such further period as the Deputy Commissioner may allow ; and on the failure of the Patel or Shanbhog to furnish such security, the Deputy Commissioner, by order, remove him from the Office of Patel or Shanbhog."

The security to be called for should not exceed one-fourth and sufficient discretion is given to the Deputy Commissioner to give the Village Officer time for furnishing security.

Mr. SPEAKER.—Motion moved :

> " That the Mysore Village Offices (Amendment) Bill, 1953, as reported by the Select Committee, be taken into consideration."

* Sri J. MOHAMED IMAM (Jagalur).—Sir, unfortunately, I was unable to attend the meetings of the Select Committee. If I had been able to attend, I would have indicated my views there alone. I now regret I cannot agree with the recommendations of the Select Committee. I suggest to Government, in their own interests, to postpone this Bill to a later time. My experience has so far shown that the present Government wants to introduce new laws or effect amendments to the existing laws, and invariably get into trouble, as they have got into trouble with regard to the District Board Act.

Sri KADIDAL MANJAPPA.—What is the trouble ?

Sri J. MOHAMED IMAM.—The District Board elections are still far off.

Mr. SPEAKER.—That Bill is still under discussion.

Sri J. MOHAMED IMAM.—The Government does not think of the legal implications of any new Bill they are introducing. Sometimes they want to rush through things with hurricane speed, and then there is a dead stop. Similarly is the case with the House Rent Control and Accommodation Order. Even Sri M. V. Rama Rao is not satisfied, and his elaborate speech—he nearly took an hour—shows ....

Sri K. PATTABHIRAMAN (Kolar).—Constructive suggestions.

Sri J. MOHAMED IMAM.—I do not want to be understood that I am offering these views with any other motive but in your own

(SRI J. MOHAMED IMAM.)

interests. From 1st October 1953, the District of Bellary will be going over to Mysore. The village officers there are governed by a different set of rules. They are paid officers. They enjoy certain powers and they are not required to furnish any security. Very soon we have to take them into our fold and create some confidence. When this amalgamation is so near, it is highly undesirable, at this stage, to make these drastic changes under the existing system, and thus upset the present smooth working of the Village Offices Act. Last time, I asked the Government as to what provoked them to bring these amendments, to be so harsh or so suspicious of these village officers.

Sri KADIDAL MANJAPPA.—During your time, the Government Order was passed.

Sri J. MOHAMED IMAM.—Can you tell me how many cases of misappropriation and how many cases of misconduct have been reported so far as these village officers are concerned ? In fact, I would say that you suspect a Patel with no property as a dishonest man. On the other hand, there are many Patels who do not own big properties and who are honest men. There may be rogues in both the categories. To suspect or to think and presume that the Patel without much landed property is going to misbehave is not proper. I know very many Patels, hundreds of village officers without any property, but still their records are clean, their behaviour very good and their character exemplary. If you say that you have now toned down the rigour, I think that even this is inciting enough. You say that if any Patel or Shanbhog is found guilty of misappropriation or misconduct of grave nature, the Deputy Commissioner has got the power to suspend him. It goes without saying that to take such action, action for misappropriation or for misconduct, it does not require a separate amendment. Any Government servant, if he is found guilty of misconduct or misappropriation of Government moneys, will be dismissed. There is no need for this amendment at all. The Select Committee have reported on Clause 3 as follows :

> " We are of the opinion that it should not be necessary to require every Patel or Shanbhog to either own landed property or furnish cash security and that it should be left to the Deputy Commissioner to require a Patel or Shanbhog to furnish cash or other security in cases where in the opinion of the Deputy Commissioner the conduct of the Patel or Shanbhog requires such security and further that the amount of cash or security to be demanded should not exceed in any case one-fourth of the annual *jamabandi* of the village. We have accordingly amended clause 3 of the Bill."

3 P.M.

> " We are of the view that the power to place the holder of a Village Office under suspension during the pendency of any enquiry against him should be limited to cases of misappropriation ...."

This will be giving a very high handle to the local officers to harass or to mishandle any case. But apart from this, I do not see any justification for demanding any village officer—be he a landed person or be he a person without lands—to furnish security. One-fourth of the total jamabandi in many cases will come to enormous sum. Last time, Sri Srinivasa Iyengar pointed out that in certain villages, jamabandi amounts to Rs. 10,000.

Sri A. BHEEMAPPA NAIK (Molakalmuru).—Where the conduct of the Patel or Shanbhog requires, it is only in such cases that security is demanded.

Sri J. MOHAMED IMAM.—No. Wherever you find a village officer without any landed property, then automatically he is required to furnish security to the extent of one-fourth at the discretion of the Deputy Commissioner. The Amildar will not take the risk when there is an enabling clause, to allow a Patel or Shanbhog to collect jamabandi. Invariably they will make use of this power and ask the person to furnish security. That would be the case. This would really work as hardship ; our present system has worked very smoothly till now. There are no complaints, there are no misappropriations. If there are, they are hardly very few and we can count them on our fingers and as such there is no need to bring this legislation. Last time, when we opposed this Bill, we thought the Government, out of deference to our wishes, would drop this Bill. Now Bellary District is going to come to us and there the village officers are governed by a different set of rules. After transfer of this territory, we have to examine the whole aspect and decide as to how those Patels have to be treated. The rules governing them are quite different. They are State Officers enjoying immense powers. After 1st of October, when we take charge of the administration of the Bellary District, let us examine the whole question from all points of view and come to a definite conclusion and if we still find it necessary to introduce this legislation, we shall do it. Now alone if we do it, I will tell you that it will create a certain amount of suspicion in other districts. I know that certain amount of propaganda is carried on in Mysore,—if I may say so in confidence, propaganda is really carried on—and such measures like this may create certain amount of misapprehensions and misunderstandings against Mysore. I cannot explain it in detail now, but I will do it when the time comes. I therefore suggest to you : " just wait for three or four months : let this transfer be effected : afterwards let us think about it in all its aspects and bring a comprehensive Bill which will apply to all village officers not only of old Mysore but also of new Mysore." By this suggestion you will not lose much.

The House adjourned at Five Minutes past Three of the Clock and reassembled at Forty Minutes past Three of the Clock.

[Mr. SPEAKER in the Chair.]

* Sri R. ANANTARAMAN (Chamarajpet).—The Hon'ble Leader of the Opposition said that this piece of legislation is going to cause hardships to the village officers. In fact it is not so. The existing law is really causing hardship in the sense that the Revenue Officers may suspend any village officer without enquiry for alleged offences like misappropriation, etc. Also after enquiry, they may suspend them for ever. But this piece of legislation is really going to give them some help in the sense that before they are suspended it is but right that the Revenue Officers who should hold an enquiry and if the Revenue Officers come to the conclusion that the offence is of a grave nature, then they can suspend them. But according to the existing law, an officer can do so before the enquiry. In fact I brought it to the notice of the Hon'ble Minister in one of the appeals and he also agreed with me then. I do not know why the Leader of the Opposition wants this to be deferred to a further day. As regards amendment for inserting Section 9-A regarding security to be furnished by Patels and Shanbhogs, I think it is all right. During the last session, many persons made speeches stating that the Bill in the form in which it was brought before the House then would cause hardships to the Patels and Shanbhogs because it was not possible for them to furnish security. It was discussed on the floor of this House that in the case of Patels and Shanbhogs who dealt

(SRI R. ANANTARAMAN.)

with cash transactions, it was but right that they must furnish some security. Similarly, the cashiers of the Banks and also Treasurers were asked to furnish security because they are daily dealing with cash. Likewise, this amendment is introduced. This amendment will not cause hardships to Patels and Shanbhogs. You also know that in some cases Patels and Shanbhogs have misappropriated a lot of money and when the real enquiry was held, they were not available at all, and had absconded and the Government were also censured for not bringing them to book. Now this piece of legislation will really help the Government. It is better that instead of bringing the offenders to book, these offences are prevented from being committed. In that view, this amendment also is brought forward. It is high time that this piece of amendment is passed as early as possible.

* Sri A. BHEEMAPPA NAIK.—I heard carefully the leader of the opposition and having given due thought to his advice, I still feel that this is a measure which he has not considered very deeply, which is very necessary in the interests of the country. My friend first warned us saying that Bellary is coming in and therefore this should not be ushered in just at this juncture. I may just point out to him that at present we are not going to disturb any law prevailing in that part of the area and bring about changes immediately in line with Mysore. It is not so; it cannot be so; because the prevailing laws will have to be given due consideration before changing anything and that will be in due course. Because Bellary is coming in, are we withholding any of the legislations that we are passing today? This warning should have been given by my friend in respect of all measures which were introduced here. Moreover, any propaganda that is being carried on, whether we bring this measure or do not bring this measure, is being carried on by persons influenced by extraneous forces and circumstances. Therefore, I feel that that argument that Bellary is coming in and therefore we should not introduce this amending Bill, does not hold water.

As regards the main points, after all they admit that there was a custom, or usual suspensions were there under a Government Order or a Circular. Now it is being regularised. That is all. There it was an arbitrary measure. The Deputy Commissioner might even summarily suspend a person. Now what has happened? Unless there is a *prima facie* case made out, the Deputy Commissioner cannot suspend and we are not giving power to a Revenue Inspector or an Amildar as in the previous case. In the previous case, even on the recommendation of a Revenue Inspector, the Amildar would suspend and then report, but here that is not the case. It is either a Deputy Commissioner or an Assistant Commissioner. Even so, unless a *prima facie* case is made out, he cannot suspend. Specific cases, like the case of misappropriation and the case of gross misconduct, are the only two circumstances. The limit of suspension was not circumscribed previously. Now the limit of suspension is circumscribed with respect to only these two cases. I do not think my friend Sri Imam, though he is on the opposition side, would like misappropriations to go on, or, even in cases of misappropriations, I do not think he would like to deter the hand of the Deputy Commissioner or the Assistant Commissioner to take such course as is proper. Of course, it is true that the cases of misappropriation were few and far between formerly; now they have become rampant, they have been increasing. It is all due to so many other causes. Causes are there. Until causes are removed, cases of misappropriation will go on. Therefore,

it has been necessitated to introduce such a measure just at this juncture.

Again, my friend was saying that requiring the Patel or Shanbhogue to furnish security of one-fourth of the annual jamabandi, was very severe. It may be cash or other security. In what cases has he no lands? It is only in a few cases where a temporary man might have no lands at all. If in the opinion of the Deputy Commissioner, the conduct of a Patel or Shanbhogue, not being a person who owns any immovable property, necessitates the requirement of security, there are two things open to him. If the Patel or Shanbhogue is a landlord, if he possesses immovable property, even a house but not necessarily land, and if he furnishes such security for the amount, then there is no question of the Deputy Commissioner taking any such course of action as is contemplated in the Bill. If he is a continuous misappropriator or if he embezzles the Government money continuously or if his conduct requires such a demand, it is in such cases alone the Deputy Commissioner would ask for a security which it would not be very hard for the man to furnish. After all, in the previous case, in the original Bill as brought forward, it was twice the value of the jamabandi that he would collect. The Select Committee has suggested that the Patel or Shanbhogue may be required to furnish cash or other security of a value not exceeding one-fourth of the jamabandi. It would not be very harsh. Many Patels and Shanbhogues are landlords possessing sufficient property and it is safe enough to leave money in their hands. It is only in cases where he has no land, where he has no other property, that security is asked for. It is not a punishment. If we want to leave money in his hands, it is but proper that he should be asked to furnish security. We know of many cases where misappropriation or embezzlement has taken place. Therefore, the Government have thought it fit to see that these persons who are houseless or landless, if they are to be inevitably in charge of responsible positions, in charge of collection of revenues, are required to be substantial persons, possessing some property at least. It is possible that he might misappropriate the money even before it goes to the hands of Government, or private persons may lose their money. Therefore, it is very necessary that he should be a man of some property. After all, this is an innocuous measure. In the House Rent Control Order just to accommodate a tenant there are so many things to which in the interests of the country you have agreed all along. Here what was being done previously is being put in so many words as one of the sections. Why should it frighten anybody? Formery you had agreed to a person being suspended summarily. Now unless a *prima facie* case is made out, he cannot be suspended. All of you Advocates know what a *prima facie* case is. If unrebutted it would secure a conviction. Unless a *prima facie* case is made out, no Deputy Commissioner can keep a person under suspension. After all for what period? Until the case is disposed of, that is all. Misappropriation is a thing which is happening frequently. It is only in such cases that the power of suspending a person is given. In other cases, where he is landless, where he is houseless, security is asked for. Therefore, these measures are very innocuous. I hope the House will give its support to this Bill.

Sri S. SRINIVASA IYENGAR (T.-Narsipur).—I beg to submit that this Bill is a very important Bill. It affects about 18,000 village officers. The Select Committee Report causes greater damage than the original Bill. I regret very much that I could not participate in the Select Committee meetings because I had gone on tour in connection with the Estimates Committee.

Sri A. BHEEMAPPA NAIK.—You were called to be one of the members of the Select Committee because you are a vehement opposition member.

Sri S. SRINIVASA IYENGAR.—That is why I offer my apology stating that I was away on tour in connection with the work of the Estimates Committee and therefore could not participate in the Select Committee meetings. It was also Government work.

I consider that the report has done greater damage than the Bill for the following reasons. The Bill has provided certain qualifications for persons who will be eligible for the office of Patel or Shanbhogue. But the Select Committee in its report gives power to the Deputy Commissioner to ask any existing Patel or Shanbhogue to provide security or to possess qualifications.

Sri A. BHEEMAPPA NAIK.—If his conduct so requires.

Sri S. SRINIVASA IYENGAR.—The original Bill did not contemplate that. The original Bill stipulated only the qualification that may be necessary for a Patel or a Shanbhogue to be appointed, but the Select Committee in its report has gone a step further and said that the Deputy Commissioner may require any Patel or Shanbhogue, who is already in service, to provide security, and I think it is more dangerous than the original Bill. Apart from the other clauses, I lay particular stress on this point and it causes serious harm and damage to the village officers and therefore I submit that the Bill and the Select Committee Report both should be withdrawn.

ಶ್ರೀ ಎಚ್. ಕೆ. ಶಿವರುದ್ರಪ್ಪ (ಗುಂಡ್ಲುಪೇಟೆ-ಹೆಗ್ಗಡದೇವನಕೋಟೆ).—ಸ್ವಾಮಿ, ಈ ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಯ ವರದಿಯ ಮೇಲೆ ಇದುವರೆಗೂ ಅನೇಕರು ಚರ್ಚೆ ಮಾಡಿದ್ದಾರೆ. ಇದನ್ನು ನೋಡಿದರೆ ಈ ಬಿಲ್ಲನ್ನು ಯಾವ ವಿಧದಲ್ಲಿ ತರಬೇಕಾಗಿತ್ತೋ ಆ ವಿಧದಲ್ಲಿ ಇದಿಲ್ಲ ಎಂದು ಹೇಳಿದ್ದಾರೆ. ಆದರೆ ಹಿಂದಿನ ಬಿಲ್ಲಿನಲ್ಲಿ, ಅನೇಕ ಪಟೇಲ್ ಶ್ಯಾನುಭೋಗರುಗಳು ಸರ್ಕಾರದ ಹಣ ದುರುಪಯೋಗಪಡಿಸಿಕೊಂಡ ಸಂದರ್ಭದಲ್ಲಿಯೂ ಅವರ ವಿಚಾರದಲ್ಲಿ ಕಾರ್ಯಕ್ರಮ ತೆಗೆದುಕೊಳ್ಳುವುದಕ್ಕೆ ನಾನಾ ಅಡಚಣೆಗಳಿದ್ದುದರಿಂದ ಈ ಬಿಲ್ಲನ್ನು ತರಬೇಕಾಗಿ ಬಂತೆಂದು ಹೇಳಿದರು. ಅದನ್ನು ವಿಮರ್ಶೆಮಾಡುವಾಗ ಈ ರೀತಿಯಾಗಿ ಒಂದು ನಿರ್ಬಂಧವನ್ನು ಅವರ ಮೇಲೆ ಹಾಕಬಾರದು ಎಂಬ ವಾದ ಬಂತು. ನಾವೂ ಅದೇ ವಾದವನ್ನು ಸಮರ್ಥನೆಮಾಡಿ ಈ ಬಿಲ್ಲು ಕೂಡದೆಂದು ಹೇಳಿದೆವು. ಇದರಲ್ಲಿ ನಮ್ಮ ಉದ್ದೇಶವೇನಿತ್ತೆಂದರೆ ಯಾರೋ ಕೆಲವರು ದುರುಪಯೋಗಪಡಿಸಿಕೊಂಡರೆಂದು ಒಳ್ಳೆಯವರ ವಿಚಾರದಲ್ಲಿಯೂ ಅದೇ ರೀತಿ ವರ್ತಿಸ ಕೂಡದು; ಯಾರಿಂದ ತೊಂದರೆಯಿದೆಯೋ ಅವರ ಮೇಲೆ ಕ್ರಮ ತೆಗೆದುಕೊಳ್ಳಬಹುದೆಂದು ಹೇಳಿದೆವು. ಆದರೆ ಇಂಥವರುಗಳ ವಿಚಾರದಲ್ಲಿ safeguar ಇಟ್ಟು ಕೊಳ್ಳಬೇಕಾದದ್ದು ನ್ಯಾಯ, ಇಲ್ಲದಿದ್ದರೆ ಅನ್ಯಾಯ ಅನರ್ಥಗಳು ನಡೆಯುವುದಕ್ಕೆ ನಾವೇ ಒಪ್ಪಿಗೆಕೊಟ್ಟ ಹಾಗಾಗುತ್ತದೆ ಎಂಬ ದೃಷ್ಟಿಯಿಂದ ಅನಿವಾರ್ಯ ವಾಗಿ ನಾವುಗಳು ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಯಲ್ಲಿ ಇದನ್ನು ಒಪ್ಪಿ ಕೊಳ್ಳಬೇಕಾಗಬಂತು. ಆದ್ದರಿಂದ ಪಟೇಲ್ ಶ್ಯಾನುಭೋಗರುಗಳಿಗೆ ಈ ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಯ ವರದಿಯಿಂದ ತೊಂದರೆಯಾಗುತ್ತದೆಂದು ಹೇಳಿ ಈ ಬಿಲ್ಲನ್ನು ಕೈಬಿಡುವುದು ಸರಿಯಲ್ಲ. ಆದ್ದರಿಂದ ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಯ ವರದಿಯನ್ನು ಎಲ್ಲರೂ ಒಪ್ಪಿಕೊಳ್ಳಬೇಕೆಂದು ಹೇಳುತ್ತೇನೆ.

ಶ್ರೀ ವಿ. ವೆಂಕಟಪ್ಪ (ಚನ್ನಪಟ್ಟಣ).—ಸ್ವಾಮಿ, ನಮ್ಮ ಮಿತ್ರರಾದ ಶ್ರೀಮಾನ್ ಅನಂತರಾಮರವರೂ ಭೀಮಪ್ಪನಾಯಕರೂ 'ಮೊದಲು ವಿಲೇಜ್ ಆಫೀಸರುಗಳನ್ನು ವಿಚಾರಣೆ (enquiry) ಮಾಡದೆ 'ಸಮ್ಮರಿ' ಯಾಗಿ ಸಸ್ಪೆಂಡ್ ಮಾಡುವುದಕ್ಕೆ ಅವಕಾಶವಿತ್ತು, ಈಗ ಅದನ್ನು ಬದಲಾವಣೆ ಮಾಡಿ ವಿಚಾರಣೆಮಾಡಿದನಂತರ ಮಾಡುವುದಕ್ಕೆ ಅವಕಾಶ ಮಾಡಿದೆ' ಎಂದು ಹೇಳಿದರು. ಇದನ್ನು ಕೇಳಿ ನನಗೆ ಆಶ್ಚರ್ಯವಾಗುತ್ತಿದೆ. ಅವರಿಬ್ಬರೂ ಲಾಯರುಗಳು, ಚೆನ್ನಾಗಿ 'ಲಾ' ಬಲ್ಲವರು.

ಶ್ರೀ ಎ. ಭೀಮಪ್ಪನಾಯಕ್.—*Prima facie* case ಎಂದು ಹೇಳಿದೆವು........

ಶ್ರೀ ವಿ. ವೆಂಕಟಪ್ಪ.—I Can understand it. ಮೊದಲು ಕಾನೂನಿನಲ್ಲಿ ಎಕ್ಸ್‌ಪ್ಲೈರಿಮಾಡಿ ಸಸ್ಪೆಂಡ್ ಮಾಡಬೇಕೆಂದಿತ್ತು. ಕೆಲವು ಸಂದರ್ಭಗಳಲ್ಲಿ ಹೀಗೆ ಎಕ್ಸ್‌ಪ್ಲೈರಿಮಾಡಿ ಸಸ್‌ಪೆನ್ಷನ್ನಲ್ಲಿಡಬೇಕಾದರೆ ಕಾಲಾವಕಾಶವಾಗುತ್ತದೆ, ಆದ್ದರಿಂದ ತೊಂದರೆಯಾಗುತ್ತದೆಂದು ಹೀಗೆ ಮಾಡಿದೆವು' ಎಂದು ಅವರ ಹೇಳಿಕೆಯಲ್ಲಿ ತಿಳಿಸಿದ್ದಾರೆ. ಈಗ ಎಕ್ಸ್‌ಪ್ಲೈರ್ ಮಾಡಿ ಸಸ್ಪೆಂಡ್ ಮಾಡುತ್ತಾರೆಂದು ಹೇಳುವುದು ಸರಿಯಲ್ಲ. ಡೆಪ್ಯುಟೀ ಕಮೀಷನರಿಗೆ ಸಸ್‌ಪೆಂಡ್ ಮಾಡುವುದು ಸರಿಯೆಂದು ತೋರಿದರೆ ಅವರು ಹಾಗೇ ಮಾಡಬಹುದೆಂದು ಹೇಳಿದೆ. ಶ್ರೀಮಾನ್ ಅನಂತರಾಮನ್ ರವರು ಹಿಂದೆ ಹೇಳಿದ ಹಾಗೆ, ಕೆಲವು ಸಂದರ್ಭಗಳಲ್ಲಿ ಹೀಗೆ ಮಾಡುವುದು ಅಗತ್ಯವೆಂದು ಕಂಡುಬಂದಿರಬಹುದು.

ಈಗ ತಾನೇ ಶ್ರೀಮಾನ್ ಶ್ರೀನಿವಾಸಯ್ಯಂಗಾರ್ಯರು ಹೇಳಿದ ಹಾಗೆ, ಇನ್ನೊಂದು ವಿಷಯವಿದೆ. ಅದು ಸೆಕ್ಯೂರಿಟಿ ಕೊಡಬೇಕೆಂಬ ವಿಷಯ. ಮೊದಲು ಈ ಬಿಲ್ಲಿನಲ್ಲಿ, ಯಾರನ್ನು ಸಸ್‌ಪೆಂಡ್ ಮಾಡುತ್ತಾರೋ ಅವರ ಜಾಗದಲ್ಲಿ ಬೇರೆಯವರು ಬಂದರೆ ಅಥವಾ ಯಾರಾದರೂ ಹೊಸಬರನ್ನು ಕೆಲಸಕ್ಕೆ ತೆಗೆದುಕೊಳ್ಳಬೇಕಾದರೆ ಅಂಥ ಸಂದರ್ಭದಲ್ಲಿ, ಅವರಿಂದ ಸೆಕ್ಯೂರಿಟಿ ತೆಗೆದುಕೊಳ್ಳಬೇಕಾದರೆ ಈ ರೀತಿ ಇರಬೇಕೆಂದೇ ಹೇಳಿದ್ದರು. ಈಗ ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಯವರು ಇದನ್ನು ಪೂರ್ತಿಯಾಗಿ ಬದಲಾವಣೆ ಮಾಡಿದ್ದಾರೆ. ಇದರಿಂದ ಏನೂ ಕಷ್ಟವಾಗುವುದಿಲ್ಲವೆಂದು ಶ್ರೀಮಾನ್ ಭೀಮಪ್ಪ ನಾಯಕರು ಹೇಳಿದರು. ಜಮೀನು, ಮನೆ ಇಂಥಾ

ಯಾವ ಆಸ್ತಿಯೂ ಇಲ್ಲದಿದ್ದರೆ ಇಂಥವರಿಗೆ ಮಾತ್ರ ಇದು ಅನ್ವಯಿಸುತ್ತದೆ, ಎಲ್ಲರಿಗೂ ಅನ್ವಯಿಸುವುದಿಲ್ಲ ಎಂದು ಹೇಳಿದರು ಮನೆಯೂ ಇಲ್ಲದೆ, ಜಮೀನೂ ಇಲ್ಲದೇಯಿರುವವನು Cash Security ಕೊಡುವುದು ಹೇಗೆ ಸಾಧ್ಯ? (Hear! Hear!) ಇದನ್ನು ತಾವು ಯೋಚನೆ ಮಾಡಬೇಕು. ಒಂದು ಹಳ್ಳಿಗೆ ಐದುಸಾವಿರ ರೂಪಾಯಿ ಜಮಾಬಂದಿ ಇದೆಯೆಂದು ಇಟ್ಟುಕೊಳ್ಳೋಣ. ಇದಕ್ಕೆ ಅವನು ಒಂದೂಕಾಲು ಸಾವಿರ ರೂಪಾಯಿ ಸೆಕ್ಯೂರಿಟಿ ಕೊಡಬೇಕು. ಅವನಿಗೆ ಜಮೀನು ಇರುವುದಿಲ್ಲ, ಮನೆಯೂ ಇರುವುದಿಲ್ಲ. ಅವನು ಇಷ್ಟು ಹಣ ಹೇಗೆ ಕೊಡುವುದು? ಆಗುವುದಿಲ್ಲ. ಆದಕಾರಣ ಕೆಲಸವನ್ನು ಬಿಡಬೇಕಾಗುತ್ತದೆ. ಹೀಗೆ ವಂಶಪಾರಂಪರ್ಯವಾಗಿ ಬಂದ ಪದ್ಧತಿಯನ್ನು ತೆಗೆದು ಹಾಕುವುದಕ್ಕೆ ಇದೊಂದು ಮೂಲ ಸಾಧನವಾಗಿದೆ.

Sri S. SRINIVASA IYENGAR.—This is the thin end of the wedge.

Sri V. VENKATAPPA.—Yes.

ನಾವು ಕಾನೂನನ್ನು ಯಾವ ಉದ್ದೇಶದಿಂದ ಮಾಡುತ್ತೇವೆ ಅದು ಹೇಗೆ ದುರುಪಯೋಗ ಮಾಡಲ್ಪಡುತ್ತದೆ ಎಂಬುದನ್ನು ಶ್ರೀಮಾನ್ ರಾಮರಾಯರು ಹೇಳಿದ್ದಾರೆ. ಆದುದರಿಂದ ಈ ವಿಷಯವನ್ನು ನಾನು ಲಂಬಿಸಿ ಮಾತನಾಡ ಬೇಕಾಗಿಲ್ಲ. ನಾವು ಯಾವ ಉದ್ದೇಶದಿಂದ ಕಾನೂನು ಮಾಡುತ್ತೇವೋ ಅದರಂತೆ ಕಾರ್ಯತಃ ನಡೆಯುವುದಿಲ್ಲ, ನಡೆದಿದ್ದರೆ ಚೆನ್ನಾಗಿಯೇ ಇತ್ತು. ಒಂದೂಕಾಲು ಸಾವಿರ ರೂಪಾಯಿ ಸೆಕ್ಯೂರಿಟಿ ಕೊಡಬೇಕೆಂದು ಕೇಳಿದರೆ, ಅವನು ಸಾಲ ತೆಗೆದು ಕೊಂಡರೆ, ಶೇಕಡ 10ರಂತೆ ತೆಗೆದುಕೊಂಡರೂ ವರ್ಷಕ್ಕೆ 150 ರೂಪಾಯಿ ಬಡ್ಡಿಯನ್ನೇ ಕೊಡಬೇಕು. ನೀವು ಪೋಟಿಗೆ ಕೊಡುವುದು ಶೇಕಡ 3ರಂತೆ. ನೀವು ಸರ್ಕಾರದಲ್ಲಿ ಕೆಲಸದಲ್ಲಿರುವ ನೌಕರರಿಗೆ ತಿಂಗಳಿಗಿಷ್ಟೆಂದು ಸಂಬಳ ಕೊಡುತ್ತೀರಿ. ಇದೇರೀತಿ ಲೆಕ್ಕ ಹಾಕಿದರೆ ಗ್ರಾಮಾಧಿಕಾರಿಗಳಿಗೆ ತಿಂಗಳು ತಿಂಗಳಿಗೆ ಮೂರು ನಾಲ್ಕು ರೂಪಾಯಿ ಕೂಡ ಬರದೇಯಿರುವ ಶ್ಯಾನುಭೋಗರೂ ಇದ್ದಾರೆ. ಇವರು ಪೋಟಿಗೆ ತೆಗೆದುಕೊಂಡು ತಾಲ್ಲೂಕು ಕಚೇರಿಯಿಂದ ಹೊರಗೆ ಬರುವವರೆಗೂ ಈ ಹಣ ಉಳಿದಿರುವುದಿಲ್ಲ. ಇಂಥಾ ಸ್ಥಿತಿಯಲ್ಲಿರುವ ಶ್ಯಾನುಭೋಗರಿಂದ ಈ ರೀತಿ ಸೆಕ್ಯೂರಿಟಿ ಪಡೆಯ ಬೇಕೆಂದು ಹೇಗೆ ಮಾಡಿದರೆಂದು ನನಗೆ ಆಶ್ಚರ್ಯವಾಗುತ್ತದೆ. ಈ ವಿಧಿ ಕಾನೂನಿನಲ್ಲಿ ಇದುವರಗೆ ಇಲ್ಲದೆ ಇದ್ದುದರಿಂದ ಎಷ್ಟು ತೊಂದರೆಯಾಗಿದೆ. ಎಷ್ಟು ಹಣ ದಸ್ತಾಗಿದೆ ಎಂಬುದನ್ನು ಈ ತಿದ್ದುಪಡಿ ತಂದವರಾಗಲಿ ಇದನ್ನು ಸಮರ್ಥಿಸಿ ಇದುವರೆಗೂ ಭಾಷಣ ಮಾಡಿದವರಾಗಲಿ ಅಥವಾ ಇತರರಾಗಲಿ ಹೇಳಿಲ್ಲ. ಇದುವರೆಗೆ ಏನು ನಂಬಿಕೆಯಿಂದ ಕೆಲಸ ನಡೆಸುತ್ತಿದ್ದಾರೋ ಇವರು ಈ ಕೆಲಸವನ್ನು ಬಿಡಬೇಕಾಗುತ್ತದೆ, ಆ ಜಾಗಗಳಿಗೆ ಬೇರೆಯವರು ಸಂಬಳದ ಮೇಲೋ ಅಥವಾ ಒಂದೂ ಕಾಲು ಸಾವಿರ ರೂಪಾಯಿ ಸೆಕ್ಯೂರಿಟಿ ಡಿಪಾಸಿಟ್ ಮಾಡಿಯೋ ಸೇರಿಕೊಂಡು, ತಾವು ವಸೂಲುಮಾಡಿದ ಐದು ಸಾವಿರ ರೂಪಾಯನ್ನು ಹೊಡೆದುಕೊಂಡು ಹೊರಟುಹೋದರೆ ಏನು ಮಾಡುವುದು? ಹಣ ಕೊಡುವುದಕ್ಕೆ ಚೈತನ್ಯವಿದ್ದವರಿಗೇನೋ ಕಷ್ಟವಾಗಲಾರದು, ಆದರೆ ಬಹು ದಿವಸಗಳಿಂದ ಇದೊಂದು ಮರ್ಯಾದೆಯ ಸ್ಥಾನವೆಂದು ತಿಳಿದುಕೊಂಡು ಕೆಲಸ ಮಾಡಿಕೊಂಡು ಬಂದಿರುವವರು ಅನೇಕರಿದ್ದಾರೆ. ಇದರಿಂದ ಬರತಕ್ಕ ಹಣಕ್ಕಾಗಿ ಕೆಲಸ ಮಾಡಿಕೊಂಡು ಬಂದಿರುವವರೂ ಇದ್ದಾರೆ. ಒಟ್ಟಿನಲ್ಲಿ ಪಟೇಲ ಶಾನುಭೋಗರಿಗೆ ಇದರಿಂದ ಇಲ್ಲದ ತೊಂದರೆ ಕೊಟ್ಟಹಾಗಾಗುತ್ತದೆಂದು ನನ್ನ ಭಾವನೆ.

4 P.M.

Sri M. V. RAMA RAO (Tumkur).—Sir, I very much wish I had been able to catch your eye and make my observations before my friend Sri Bheemappa Naik and one or two other members of the Select Committee who have signed the Report of the Select Committee made speeches commending for the acceptance of the House the modifications made by them in the two clauses of this Bill. Because, not only do I have the disadvantage of differing from the views which they have placed before this House, but also I have to comment on some aspects of the proposed legislation with a view to remedying any possible defects or omissions, or effecting any possible improvements. Those attempts have been, within my hearing outside the precincts of the House and in the lobbies and the lounge, characterized by responsible Members of this House whom I do not wish to name in order to avoid personal reflection as an attempt to delay the business of this House and to obstruct the business of the Government. I am very sorry that such an accusation was made by two responsible members of this House. Sir, I do not intend to break my heart over their testimonials to me. Apart from it, I still consider it my duty to point out not only to the Government but also to the members of the Select Committee, every one of whom is a person for whose views and honest differences of opinion I have sufficient consideration not to throw aspersions on him for the views expressed in this report, to consider earnestly the three observations, which I propose to make.

Sir, the main object of the Government, as has been explained by the mover of this Bill when it was first moved in this House, is to see that misappropriation of Government moneys should be safeguarded against. That is one of the main

(SRI M. V. RAMA RAO.)

objects of this Bill. The other object of this Bill is to empower the Deputy Commissioner or the other officer, the Assistant Commissioner, who holds an enquiry into any matter alleged against a Village Officer to suspend such officer pending investigation of the charges against him. Clause 2 of this Bill, to my mind, ought not to be obnoxious at all. I am not in a position to agree with the views expressed by some Members of this House that this clause will operate severely against the Village Officers in many cases; because, all that is provided here is that the following proviso shall be added to Section 7 of the Mysore Village Officers Act. Unless we know the handicap under which Government seems to labour by reason of the insufficient powers conferred under Section 7 upon the Deputy Commissioner or the Assistant Commissioner, the House will not be able to appreciate the necessity for the proviso. I crave the indulgence of this House to hear me read the relevant part of Section 7. Sub-section (1) reads :

> "The Deputy Commissioner or Assistant Commissioner may, of his own motion or on complaint and after enquiry, fine, suspend, dismiss or remove any holder of a village office, whether in an unalienated or alienated village, for misconduct or for neglect of duty or for incapacity or for non-residence in the village, except when such non-residence is permitted by the Deputy Commissioner, or for any other sufficient cause."

Now, it is proposed in clause 2 of this Bill that a proviso should be added to sub-section (1) to the effect that the sub-section should provide that the Deputy Commissioner or the Assistant Commissioner may, if satisfied that there is a *prima facie* case of misappropriation or other misconduct of a grave nature against any holder of a village office, place such holder under suspension till the disposal of the case or until further orders. Sir, the last few words in sub-section (1) of Section 7 as it now stands, have in fact empowered the Deputy Commissioner and the Assistant Commissioner to pass orders of suspension upon Village Officers against whom an enquiry is being held. Those orders apparently are now being passed under colour of authority vested in the Deputy Commissioner by sub-section (1), where the words "or for any other sufficient cause" are used. Whether that be so or not, it is a matter of fact that in actual practice, a Village Officer against whom an enquiry is being made by the Deputy Commissioner or Assistant Commissioner is being suspended until the enquiry is completed.

Therefore, I do not think that the insertion of this proviso would work any additional hardship on the village officer concerned or subject him to any additional handicap at the instance of the officer conducting the enquiry. Besides, as Sri Bheemappa Naik pointed out, the proviso makes specific reference to the necessity of the Deputy Commissioner being satisfied that there is a *prima facie* case of misappropriation or other misconduct of a grave nature. These words are underlined, I take it, because the Select Committee have put in these words in the clause where they did not originally exist. Therefore, Sir, I think there is really nothing here which would place these village officers at a greater disadvantage by the insertion of this proviso than before, unless indeed, any officer deliberately misuses the authority vested in him under this Section.

Secondly, with regard to clause 3 of this Bill as amended by the Select Committee, I must say that the reasons for which Sri Bheemappa Naik commended this clause for the acceptance of the House have not convinced me either that the purpose of the Government in enacting this clause

will be served or that the modification made by the Select Committee are really an improvement on the original clause as it stood. I should like to make it very clear that I do not mean to cast any reflection upon the earnestness, the *bona fides* or the wisdom of any member who had the privilege of serving on the Select Committee. But I should like to say that this clause as redrafted or modified by the Select Committee does not really serve the purpose of the Government or put the village officer in a position of reasonable security in respect of the performance of his duties as village officer. Now, it is stated here that a new section—Section 9-A—be inserted in the Act after Section 9 to the effect that security should be furnished by patels and shanbhogs for certain reasons set forth in the clause. Now what are the reasons set forth in the clause ?

> "Notwithstanding anything contained in Sections 7, 8 and 9 if, in the opinion of the Deputy Commissioner, the conduct of a patel or shanbhog, not being a person who owns any immovable property, necessitates the requirement of security, the Deputy Commissioner, may, by order, require the Patel or Shanbhog concerned, to furnish cash or other security of an amount or value not exceeding in any case one-fourth of the annual *jamabandi* of the village, within a period of three months from the date of the order, or such further period as the Deputy Commissioner may allow ; and on the failure of the Patel or Shanbhog to furnish such security, the Deputy Commissioner may, by order, remove him from the Office of Patel or Shanbhog."

Sir, with respect to this clause and the grounds on which security may be required from a patel or shanbhog, I have to say two things. The first is that the object of requiring security from these village officers should be restricted, severely restricted, to the exact purposes of safeguarding the Government revenues for which the Village Officers may have a statutory liability or responsibility. We all know that misappropriation of Government revenues by Village Officers is generally due to one or the other of two reasons. One is the poverty both in money as well as in character of the persons who hold these offices in the particular cases where misappropriation has occurred. The second is the habit, the time-honoured habit of *jamabandi* officers to insist upon the entry of collections of revenue in the *kirdi* whether or not payment of those moneys have been actually received by the village officers from the persons liable to pay those moneys. That is a thing of which I can say practically every Member of this House is necessarily aware. That being so, all that we ought to do, in my opinion, is to do only so much as will safeguard the proper crediting into the Government Treasury of the revenues collected by the Village Officers. It ought to be possible for the Government to effect necessary changes by modification of the rules governing the collection of these monies and the custody of these monies with one or the other of the Village Officers and the time within which these monies should be credited to the treasuries. I say it should be possible for the Government by making suitable modifications to secure that an unreasonably large sum of money such as may be sufficient to tempt an impecunious village officer to run away with it or to misappropriate it, would not remain with him. It ought to be possible for the Government to make those modifications to see that unreasonably large sums of money do not remain in his hands for a time long enough for the village officer to convert them to his own use. That, I think, is not very difficult. If the Government can find time to examine the rules upon the subject,

(SRI M. V. RAMA RAO.)

probably, they will be able to make the necessary modifications. Now, if it is agreed that security can be required of Village Officers for the purpose of safeguarding the revenue due to Government collected by them and for no other purpose, then I must say that this clause as it now stands modified by the Select Committee in the present form will not fulfil that purpose, because the clause takes away from the operation of this amended law all those Village Officers who happen to own immovable property. This is the language of the clause: "not being a person who owns any immovable property . . ." Sir, the definition of 'immovable property' is so big, is so wide, that it can include the Thungabhadra Project which is going to become our property hereafter and can also include a shadow of a right of redemption of a mortgage of a dilapidated house which is practically non-existent. Therefore, the ownership of immovable property is not, I suggest, a proper criterion for exempting from the operation of this law any Village Officer against whom it is desirable for Government to take adequate precaution so that there may be no misappropriation of monies. Even if a Village Officer happens to possess one or two guntas of dry land, to put an extreme case, it would still take him out of the purview of the Section. Is it the desire or the object of the Government that only those Village Officers who are down and out and possess neither house nor land should be required to furnish security as contemplated by the Bill? Is that the object of Government? If that is the object of the Government, what answer do they propose to make to the legitimate requests of such persons to grant them land so that they may be taken out of this category? What defence would the Government have against the requests of landless and houseless Village Officers who will pray and petition the Government that in order to enable them to hold the one office which they possess in the whole world they may be granted a patch of land so as to take them out of the purview of the amended law? I think it is not right and it would not be just to make a discrimination by applying the very unsatisfactory test of ownership of immovable property. Secondly, Sir, the other thing to which I must take exception is this. If in the opinion of the Deputy Commissioner, the conduct of a patel or shanbhog, apart from his not being a person who owns immovable property, necessitates the requirement of security, the Deputy Commissioner may call upon him to furnish security within the stated time. Sir, if the object is to have a security deposit so that when a Village Officer commits defalcation or embezzlement of Government monies the Government will not stand to lose but will be in a position to recoup monies that are legitimately due to it but are misappropriated by the Village Officer, then the proper wording of the clause, with great deference to the Members of the Select Committee, should be: "If in the opinion of the Deputy Commissioner, the due discharge or the due performance of the duties of a patel or shanbhog necessitates the requirement of security, the Deputy Commissioner may call upon him to furnish security". That, I think, would be the more reasonable and appropriate way of indicating the nature of the case for requiring the security.

Sri A. BHEEMAPPA NAIK.—My friend will do well to bring such an amendment so that we might consider it on its own merit. He has the chance even now.

Sri J. MOHAMED IMAM.—That is why I have asked for the Bill to be deferred.

Sri M. V. RAMA RAO.—I really do not wish to claim any opportunity for moving an amendment of the kind which the Government may themselves move. As a matter of fact, if the House and the Government in particular are satisfied that that

would be the proper way of wording it, I think the Hon'ble Minister who is in charge of the Bill is not precluded from suggesting to the House to agree to modify the clause in that form. As a matter of fact, I have not suggested any amedment in any formal manner at all. I am merely inviting him to examine the exact implication of leaving the definition as it stands. Now, "the conduct" of a Patel or a Shanbhog is an impression which lends itself to a variety of interpretations. Sri T. C. Basappa brings it to the notice of the House that his amendment would meet that point. I must confess I have not looked into that amendment. If that meets my point, I shall be proud to support it. Therefore, the first thing I suggest is that taking away persons who happen to own any immovable property from the operation of this clause would not be correct and would not serve the purpose: secondly, the "conduct" of a Patel or Shanbhog is not the criterion but the necessity to ensure the due performance of the duties of the Village Officers is the criterion.

4-30 P.M.

The third thing I should like to point out is that under the Village Offices Act as it stands, the Shanbhogue is under no statutory responsibility or liability to account for the moneys which it is the statutory duty or liability of the Patel to collect and receive. Now that makes it more necessary for us to reflect upon the consequences of retaining the words "the conduct of a Patel or Shanbhog ...." It may be that in actual practice the Shanbhogue and the Patel may both be so friendly that one does not fight with the other and the Patel may be perfectly satisfied, so far as he is concerned, that the Shanbhogue may retain the moneys collected by the Patel; but even so, I think, the Government would not be justified in requiring a Shanbhogue whose statutory duty it is not, under any of the sections to which reference in this Bill has been made or elsewhere in the body of the Act, either to collect the revenues or to have the custody of the moneys due to the Government to furnish security. It is not proper or just that he should be called upon to furnish security. If it is the intention of the Government that the Shanbhogue should be put under proper *bandobust* Government have the Criminal Procedure Code; they can require a person to furnish security for good behaviour. It is not right for the Government to require an officer who is not responsible for the collection of the money or the custody of the money or the crediting of the money to the Treasury, to furnish security which could be required only for the specific purpose of safeguarding the revenues due to the Government. That being so, I do not see how cash security or other security can be required of a Shanbhog by the Deputy Commissioner under the provisions of this Act. If Government have such great apprehensions that Patels and Shanbhogues generally have been misappropriating moneys and that they have not sufficient authority under the existing law to deal with them so as to prevent the occurrence of these misappropriations, then it is a matter that should be dealt with in a different manner altogether, and that is, to have stipendiary Shanbhogues and Patels or whatever other designations may be given to those persons employed for the specific purpose of collecting the revenues that are now being collected by the Patels. I do not see how, by exempting practically the bulk of the Village Officers from the operation of the section by making an exception in the case of those who own immovable property, Government stand to gain their point; that again is a matter which requires the careful consideration of the Government. If the Hon'ble Minister is satisfied with respect to the two points which I have raised, that there is substance in the points I have raised, I would suggest to him that he might seek the consent

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of the House for moving such amendments as might obviate the difficulties arising under this Bill.

Sri M. LINGANNA (Mysore).—When the amending Bill was placed before this House in the last session, the Government was obliged to refer the Bill to a Select Committee. They constituted a Select Committee and now the report of the Select Committee is before us. Several of my friends have expressed themselves in favour of the report of the Select Committee and one friend who was on the committee but who had not the time to indicate his approval has come out openly now to say that the provisions are innocuous and they should be accepted by this House. There is also another portion of the amendment which is newly included, that is: "save as specified in the proviso to sub-section (1)." That apart, it is better for us to consider whether the amending proviso is sufficient for us. The whole burden of the speech of my friend Sri Rama Rao, so far as this provision is concerned, was directed to this particular point that the amending proviso does not bring upon or put the village officers into difficulties. Because he pointed out that under section 7 (1) of the Village Offices Act, power is conferred on the Deputy Commissioner or Assistant Commissioner to fine, suspend, dismiss or remove any holder of a village office, whether in an unalienated or alienated village for misconduct or for neglect of duty or for incapacity or for non-residence in the village, etc.

Sri M. V. RAMA RAO.—Or for any other sufficient cause.

Sri M. LINGANNA.—So in his opinion also, this proviso is superfluous and when I opposed this particular Bill during the last session I also said that this particular proviso which seeks to amend or add on powers to the Deputy Commissioner was a superfluous one.

Sri KADIDAL MANJAPPA.—Are there not the words "after enquiry"?

Sri M. LINGANNA.—Here, so far as the provisions are concerned, even after enquiry the Deputy Commissioner or Assistant Commissioner has power to fine, suspend....

Sri KADIDAL MANJAPPA.—Where?

Sri M. LINGANNA.—In the actual practice even today and I am sure that the Hon'ble Minister who was also a lawyer knows full well......

Sri KADIDAL MANJAPPA.—Do you doubt it?

Sri M. LINGANNA.—Even under the old Act of 1908, the village officers were punished by the Deputy Commissioner or Assistant Commissioner or even on the recommendation of the Amildar which was based on the report given by the Revenue Officer and the enquiry was instituted afterwards and after enquiry was made, the question of reinstating the village officer or the question of fining or suspending him was actually practised even under the old Act of 1908.

So, from that point of view also, whether the powers are being duly conferred on the Assistant Commissioners or the Deputy Commissioners by the new amending provision, it is not at all helpful and is not at all called for now. Because, under the old Act itself, the Deputy Commissioner could act, as per the observations made by Sri Rama Rao. No new power is being conferred on the authorities to punish the village officers for proved misconduct or misappropriation of moneys. For the offences of misconduct and neglect of duty, etc., the Deputy Commissioner and the Assistant Commissioner were empowered to punish under the provisions of the existing Act itself. But the only new criterion that has turned out now is, under the amending Bill, even without an enquiry for proved *prima facie* case of misappropriation, powers have been given to the Deputy Commissioner and the Assistant Commissioner to punish. From this point of view, the new provision is not so helpful. Amendment of clause (1) of

section 7 is not at all necessary. It is unnecessary. As pointed out by Sri M. V. Rama Rao, it is superfluous.

Sri M. V. RAMA RAO.—May I interrupt, Sir? I did not say that this clause was unnecessary. I said, whatever may have been the views of members who said that it is unnecessary, whatever may have been their reasons, I consider that the insertion of this proviso will not subject village officers to any new disadvantage because, as I pointed out, in actual practice orders of suspension pending enquiry are being passed by the officers. Therefore, I said that the insertion of this proviso will make those orders legal and save them from being attacked on the ground of being made without proper authority. That is all I said.

Sri M. LINGANNA.—That is what I stressed in a positive way and my friend is putting it in a negative way. That apart, I hold the particular view that this provision, though it looks so innocuous, is not at all a necessity.

The amendment of section 9 (A), which seeks completely to replace the original amending provision that was placed before us, is in a way a provision which seeks to discriminate between village officer and village officer. Even today, it is a fact that under the Village Offices Act, Deputy Commissioners, in some instances to my knowledge, have taken securities. If the Deputy Commissioner or the Assistant Commissioner comes to the conclusion that the property held by the village officer concerned is not sufficient, he has acted in a manner as is sought to be amended now, to call upon the village officer to deposit the security. According to the present amendment, those people who hold property, even though they are dishonest and are proved unfit to the office concerned from the point of view of efficiency that they are not capable of conducting revenue work, could be the village officers and completely escape. Section 9 (A) provides that those people who hold property are exempted from giving security and those people who do not own any property should give security. It reads that way. This, I believe, is a sort of discrimination between one village officer and another village officer. Another point, whether all village officers should be subject to this particular provision, section 9 (A), has to be considered. The village officers constitute the patel and the shanbhog. As we know, whatever might be the actual practice in vogue, the shanbhog's duty is only to give receipt to the revenue money that is being collected by the patel and every responsibility of collecting and keeping the revenue money rests on the patel. But here........

(*Interruption*).

The invidious distinction probably jeopardises the perfection of the legal aspect by the particular provision. So, Sir, section 9 (A), though it seems to be the same as the original amending provision, because of this particular invidious distinction created between one village officer and another, needs an amendment wherein this particular disparity has to be removed. From this point of view, provision 9 (A) can be accepted with certain amendments.

ಶ್ರೀ ಡಿ. ದೇವರಾಜ ಅರಸ್ (ಹುಣಸೂರು).—ಸ್ವಾಮಿ, ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಯಲ್ಲಿ ನಾನೊಬ್ಬ ಸದಸ್ಯನಾಗಿದ್ದರೂ ಕಾರಣಾಂತರಗಳಿಂದ ನಾನು ಅಲ್ಲಿ ಹಾಜರಿರುವುದಕ್ಕೆ ಅವಕಾಶವಾಗಲಿಲ್ಲ. ಆದರೂ ಈ ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಯ ವರದಿಯ ಪ್ರಕಾರ ಈ ಕಾನೂನಿನ 7 ನೆಯ ಸೆಕ್ಷನಿಗೆ ಮಾಡಿರುವ ಪ್ರೊವಿಸೋ ವಿಚಾರದಲ್ಲಿ ಕೆಲವು ಮಾನ್ಯ ಸ್ನೇಹಿತರು ಕೆಲವು ಅನುಮಾನಗಳನ್ನು ವ್ಯಕ್ತಪಡಿಸಿ ಇದರಿಂದ ಗ್ರಾಮಾಧಿಕಾರಿಗಳಿಗೆ ಬಹಳ ತೊಂದರೆಯಾಗುತ್ತದೆ ಈಗ ಹೊಸದಾಗಿ ಅವರ ಮೇಲೆ ಇಲ್ಲದ ಹೊಸಕಟ್ಟಲೆಯನ್ನು ಹೊರಿಸಿದ ಹಾಗಾಗುತ್ತದೆಂದು ಆಕ್ಷೇಪಣೆಯನೆತ್ತಿದ್ದಾರೆ. ಅಲ್ಲದೆ ಇದೀ ಈ ಮಸೂದೆ ಈಗ ಸದ್ಯಕ್ಕೆ ಬೇಕಾಗಿಲ್ಲವೆಂದು ಶ್ರೀಮಾನ್ ಇಮಾಂರವರು ವಾದ ಮಾಡಿದರು. ಇದಕ್ಕೆ ಮುಖ್ಯವಾಗಿ ಒಂದು ಕಾರಣ ಹೇಳಿದರು. 'ಬಳ್ಳಾರಿ ನಮ್ಮ ಸಂಸ್ಥಾನಕ್ಕೆ ಸೇರುವ ಪ್ರಯುಕ್ತ, ಈಗ ಅಲ್ಲಿ ಅವರಿಗೆ ಮದ್ರಾಸು ಸರ್ಕಾರದ ಬೇರೆ ಕಾನೂನಿರುವುದರಿಂದ ಸರಿಹೋಗುವುದಿಲ್ಲ, ನಾಳೆ ಬಳ್ಳಾರಿಯ ಭಾಗಗಳು ಇಲ್ಲಿಗೆ ಸೇರಿದಮೇಲೆ ಅಲ್ಲಿನ ಗ್ರಾಮಾಧಿಕಾರಿಗಳಿಗೆ ಈ ಕಾನೂನು ಅನ್ವಯಿಸುವುದಿಲ್ಲ', ಎಂದು ಹೇಳಿದರು. ಅದಕ್ಕೆ ನನ್ನ ಉತ್ತರವಿಷ್ಟೆ: ಈ ತಿದ್ದುಪಡಿಯನ್ನು ಜಾರಿಗೆ ತರಲಿ ತರದೇಯಿರಲಿ ಪರಿಸ್ಥಿತಿ ಒಂದೇ ಆಗುತ್ತದೆ. ನಾವು ಈ ತಿದ್ದುಪಡಿಮಾಡದೇ

(ಶ್ರೀ ಡಿ. ದೇವರಾಜ ಅರಸ್.)

ಇಟ್ಟುಕೊಂಡಿದ್ದರೂ ಕೂಡ ನಾಳೆ ಬಳ್ಳಾರಿ ಸೇರಿದರೆ ನಮ್ಮ ಈಗಿರುವ ಕಾನೂನು ಅವರಿಗೆ ಅನ್ವಯವಾಗುವುದಿಲ್ಲ. ಆಗ ಇದಕ್ಕೆ ತಿದ್ದುಪಡಿ ತರಲೇಬೇಕಾಗುತ್ತದೆ; ಯಾವರೀತಿ ತರಬೇಕೆಂಬುದು ಯೋಚನೆಮಾಡಬೇಕಾಗುತ್ತದೆ. ಇದರಿಂದ ಈಗ ಈ ತಿದ್ದುಪಡಿಮಾಡದೇ ಇದ ಮಾತ್ರಕ್ಕೇ ಆ ಕಷ್ಟವನ್ನು ಪರಿಹಾರ ಮಾಡಿದ ಹಾಗಾಗುವುದಿಲ್ಲ. ಆದುದರಿಂದ ಇದೊಂದು ದೊಡ್ಡ ಕಾರಣವಲ್ಲ, ಇದನ್ನು ಮುಂದೆಹಾಕುವುದಕ್ಕೆ.

7ನೆಯ ಸೆಕ್ಷನ್ ವಿಚಾರವಲ್ಲಿ ಮಾನ್ಯ ಸ್ನೇಹಿತರಾದ ಶ್ರೀ ಮಾನ್ ಲಿಂಗಣ್ಣನವರು ಹಿಂದೆ ಮೂಲ ಮಸೂದೆಯಮೇಲೆ ಮಾತನಾಡುವಾಗ ಟೀಕೆ ಮಾಡಿ ಎನ್ಕ್ವೈರಿ ಆಗುವುದಕ್ಕೆ ಮುಂಚೆ ಸಸ್ಪೆಂಡ್ ಮಾಡಬಾರದೆಂದು ಹೇಳಿದ್ದರು. ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಯ ವರದಿಯನ್ನು ನೋಡಿದರೆ, ಇದನ್ನು ಅವರು ಬಹಳ ಕೂಲಂಕಷವಾಗಿ ಪರಿಶೀಲನೆ ಮಾಡಿದ್ದಾರೆಂದು ನಾನು ಭಾವಿಸುತ್ತೇನೆ.

ಹಿಂದೆ ತಂದಿರತಕ್ಕ ಅಮೆಂಡ್‌ಮೆಂಟ್ ಬಿಲ್ಲಿನಲ್ಲಿ Misconduct against any holder of a Village Office ಎಂದಿತ್ತು. ಅದನ್ನು ಈಗ ಬಹಳ ಕೂಲಂಕಷವಾಗಿ ಪರಿಶೀಲನೆ ಮಾಡಿ ಅದಕ್ಕೆ ಸೂಕ್ತ ಬದಲಾವಣೆಗಳನ್ನು ಮಾಡಿ Misappropriation or other misconduct of a grave nature ಎಂದು ಅಲ್ಲಿ ಹೇಳಿರುವುದು ಸರಿ ಎಂದು ಹೇಳಿದಾರೆ. ಹಿಂದೆ ಇದ್ದ ಬಿಲ್ಲಿನಲ್ಲಿ ಯಾರಾದರೂ ಗ್ರಾಮಾಧಿಕಾರಿಗಳ ವಿಚಾರವಾಗಿ ಒಂದು ಅಪಾದನೆ ಮಾಡಿದಂಥ ಕಾಲದಲ್ಲಿ ಆ ಗ್ರಾಮಾಧಿಕಾರಿಗಳನ್ನು ಡೆಪ್ಯುಟಿ ಕಮಿಷನರೂ, ಸಬ್ ಡಿವಿಜನ್ ಅಧಿಕಾರಿಗಳೂ ಮತ್ತು ತಾಲ್ಲೂಕು ಅಮಲ್ದಾರರುಗಳೂ, ಅವರನ್ನು ವಿಚಾರಣೆ ಮಾಡಿ ಅವರ ಕೇಸು ಇತ್ಯರ್ಥ ವಾಗುವವರೆಗೂ ಅವರು ಅವರ ಹುದ್ದೆಯಲ್ಲಿರಬಾರದಂತೆ ತಪ್ಪಿಸತಕ್ಕಂಥ ಒಂದು ಅವಕಾಶವಿತ್ತು. ಆದರೆ ಈಗ ಅಂಥ ಅಧಿಕಾರಿಗಳನ್ನು ತಾಲ್ಲೂಕು ಅಮಲ್ದಾರರುಗಳಿಗೆ ಕೊಡುವುದು ಸರಿಯಲ್ಲವೆಂದು, ಆ ಅಧಿಕಾರವನ್ನೇನಿದ್ದರೂ ಡೆಪ್ಯುಟಿ ಕಮಿಷನರ್ ಮತ್ತು ಸಬ್ ಡಿವಿಜನ್ ಆಫೀಸರ್ ಈ ಇಬ್ಬರು ಅಧಿಕಾರಿಗಳಿಗೆ ಮಾತ್ರ ಇರುವಂತೆ ವಿಧಾಯಕಮಾಡಿ, ಅನಂತರ ಅವರಾದರೂ ಕೂಡ ಹಾಗೆ ಸಸ್ಪೆಂಡ್ ವಗೈರೆ ಮಾಡಬೇಕಾಗಿದ್ದರೆ, ಆ ತಪ್ಪು ಬಹಳ ಸೀರಿಯಸ್ ನೇಚರಿನದಾಗಿರಬೇಕೆಂದೂ. ಹಾಗಿದ್ದರೇ ಅವರು ಆ ರೀತಿ ಆಕ್ಷನ್ ತೆಗೆದುಕೊಳ್ಳಬೇಕೆಂದೂ, ಅಂಥ ಪ್ರತಿಯೊಂದು ಸಂದರ್ಭದಲ್ಲೂ ಅವರು ತಮ್ಮ ಡಿಸ್ಕ್ರಿಷನನ್ನು ಉಪಯೋಗಿಸಿ ಶಿಕ್ಷೆ ಮಾಡಬೇಕೆಂಬುದಾಗಿ ಒಂದು ಪ್ರಾವಿಸೊ ಹೊಸದಾಗಿ ಸೇರಿಸಿದ್ದಾರೆ. ಆದುದರಿಂದ, ಶ್ರೀ ಎಂ. ವಿ. ರಾಮರಾಯರು ಹೇಳಿದಂತೆ, ಈ ಬಿಲ್ಲನ್ನು ಒಪ್ಪಿಕೊಳ್ಳುವುದರಲ್ಲಿ ಯಾವ ವಿಧವಾದ ಅನುಮಾನವೂ ಇಲ್ಲ. ಆದರೆ ಯಾವುದೋ ಕಾಲದ ಒಂದೊಂದು ಕೇಸುಗಳನ್ನು ಜ್ಞಾಪಕದಲ್ಲಿಟ್ಟುಕೊಂಡು ಅಧಿಕಾರಿಗಳ ವಿಚಾರವಾಗಿ ಸುಮ್ಮನೆ ಅನುಮಾನಗಳನ್ನು ವ್ಯಕ್ತಪಡಿಸುತ್ತಾ ಹೋಗುವುದು ಅಷ್ಟು ಸಾಧುವಾದದ್ದಲ್ಲ ಮತ್ತು ಯುಕ್ತವಾದದ್ದೂ ಅಲ್ಲವೆಂದು ಹೇಳಬೇಕಾಗಿದೆ

ಆದರೆ ಶ್ರೀ ಎಂ. ಲಿಂಗಣ್ಣನವರು ಹೇಳುವುದು, ಇವರ ಮೇಲೆ ಅಂಥ ತಪ್ಪು ಸಾಬೀತಾಗುವ ತನಕ ಇವರನ್ನು ಸಸ್ಪೆಂಡ್ ಮಾಡಬಾರದು ಎನ್ನುವುದು ಅವರ ವಾದ. ಹೀಗೆಮಾಡಿರುವುದರ ಮೂಲ ಉದ್ದೇಶವೇನೆಂಬುದನ್ನು ಈಗಾಗಲೇ ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ತಿಳಿಸಿರುತ್ತಾರೆ. ಹಾಗೆ ಯಾವುದಾದರೂ ದೂರು ಬಂದು ಅವರನ್ನು ವಿಚಾರಣೆಗೆ ಗುರಿಪಡಿಸಿರುವಾಗ ಅವರನ್ನು ಸಸ್ಪೆನ್ಷನ್ನಲ್ಲಿ ಇಡದೇಹೋದಲ್ಲಿ ಕೆಲವು ಪಟೇಲ್ ಶ್ಯಾನುಭೋಗರುಗಳು ಅನೇಕ ಅಡ್ಡಿ ಅಡಚಣೆಗಳನ್ನು ತಂದು ಸಾಕ್ಷ್ಯ ಸಂಬಂಧಗಳನ್ನು ಸಿಕ್ಕದಂತೆ ಮಾಡುವುದೊಂದೇ ಅಲ್ಲದೆ ಅನೇಕ ಸಂದರ್ಭಗಳಲ್ಲಿ ಆ ವಿಚಾರಣೆಯೇ ನಡೆಯದಂತೆ ತಪ್ಪಿಸುವುದಕೂ ಸಹ ಪ್ರಯತ್ನ ಮಾಡಿರುತ್ತಾರೆ. ಈ ಕಾರಣಕ್ಕಾಗಿ ಅವರಮೇಲೆ ವಿಚಾರಣೆ ಪ್ರಾರಂಭ ವಾಗುವುದರೊಳಗೆಯೇ ಅವರನ್ನು ಸಸ್ಪೆನ್ಷನ್ನಲ್ಲಿಡಬೇಕೆಂದು ಒಂದು ಪ್ರಾವಿಜನ್ ಸೇರಿಸಿದ್ದಾರೆ. ಇದನ್ನು ನಾವು ಒಪ್ಪಿಕೊಳ್ಳುವುದರಲ್ಲಿ ನಮ್ಮ ಅಭ್ಯಂತರವೇನೂ ಇಲ್ಲ.

ಆದರೆ ಈ ಬಿಲ್ಲು ಸೆಲೆಕ್ಟ್ ಸಮಿತಿಯವರ ಮುಂದೆ ಹೋಗಿದ್ದಾಗ ಅವರು ಸೆಕ್ಷನ್ (9)ಕ್ಕೆ ಒಂದು (9) (A) ಎಂಬ ಹೊಸ ಕ್ಲಾಜನ್ನು ಸೇರಿಸಿ ಆ ಬಗ್ಗೆ ಅವರ ವರದಿಯನ್ನೊಪ್ಪಿಸಿದ್ದಾರೆ. ಆ ವಿಚಾರವಾಗಿ ಶ್ರೀಮಾನ್ ಶ್ರೀನಿವಾಸಯ್ಯಂಗಾರ್ ಅವರು ಒಂದು ವಿಚಾರ ತಿಳಿಸಿದರು. ಈ ಹಿಂದೆ ತಂದಿದ್ದ ಅಮೆಂಡ್‌ಮೆಂಟ್ ಬಿಲ್ಲಿನಲ್ಲಿ section (8) ಕ್ಕೆ,

"3. Amendment of Section 8 of Mysore Act IV of 1908.—In Section 8 of the principal Act,—

(1) after sub-section (1), the following sub-section shall be inserted, namely :— . . . "

ಎಂದು ಇದೆ. ಇದನ್ನು ನೋಡಿದ ನಂತರ ಆ ಸೆಲೆಕ್ಟ್ ಸಮಿತಿಯವರು ಕಳುಹಿಸಿರತಕ್ಕ ವರದಿಯನ್ನು ನೋಡಿದರೆ ಸೆಕ್ಷನ್ (8)ರ ವಿಚಾರ ಏನಾಯಿತು ಎಂಬುದೇ ಗೊತ್ತಾಗದೆ ನನಗೂ ಸಹ ಸ್ವಲ್ಪ ಅನುಮಾನವೇ ಬಂದಿದೆ. ಶ್ರೀಮಾನ್ ಭೀಮಪ್ಪನಾಯಕರು ಈ ಹೊಸದಾಗಿ ಅಮೆಂಡ್ ಮಾಡಿ ಸೇರಿರತಕ್ಕ ಸೆಕ್ಷನ್ನನ್ನು ಬಿಟ್ಟೇಬಿಡೋಣವೆಂದು ಹೇಳಿದರು. ಹಾಗೆ ಮಾಡಿದರೆ ನಮಗೆ ಉಳಿಯತಕ್ಕದ್ದು ಆ (9)ನೆಯ ಸೆಕ್ಷನ್ ಒಂದೇ ಒಂದು.

ಹಿಂದೆ ಈ ಬಿಲ್ಲನ್ನು ತಂದಾಗ ಸರ್ಕಾರದವರ ಉದ್ದೇಶ ಸೆಕ್ಷನ್ (8)ಕ್ಕೆ ಒಂದು sub-section ಸೇರಿಸಬೇಕೆಂದಿತ್ತು. ಆದರೆ ಈಗ ಆ ಸೆಕ್ಷನ್ (8) ಇದ್ದ ಹಾಗೆ ಇಟ್ಟು ಬಿಡಲಾಗಿದೆ ಅಷ್ಟೇ ಅಲ್ಲದೆ ಸೆಕ್ಷನ್ (8)ಕ್ಕೆ ತರಬೇಕೆಂದದ್ದ ತಿದ್ದುಪಡಿಯನ್ನು ಈ ಸೆಕ್ಷನ್ (9)ಕ್ಕೇನಾದರೂ ತಂದಿದ್ದಾರೇನೋ ಅನ್ನುವ ಅನುಮಾನ ಸಹ ನನಗೆ ಬಂದಿದೆ. ಹಾಗಿದ್ದರೆ ಒಂದು ಸೆಕ್ಷನ್ನಿಗೆ ತರಬೇಕಾದ ತಿದ್ದುಪಡಿಯನ್ನು ಮತ್ತೊಂದು ಸೆಕ್ಷನ್ನಿಗೆ ತಂದರೆ ಅದು ಹೇಗೆ ಸರಿಹೋಗುತ್ತದೆ? Is it within the scope of the Select Committee to do so? ಇದರ ಜೊತೆಗೆ (9) (A) ನಲ್ಲಿ 'not being a person who owns any 'immovable property, etc.' ಎಂದು ಹೇಳಿರುತ್ತಾರೆ. ಈ 'immovable property' ಎಂಥದ್ದಿರಬೇಕೆಂಬ ಬಗ್ಗೆ ಈಗಾಗಲೇ ಸಭೆಯಲ್ಲಿ ವಿಶೇಷವಾಗಿ ಚರ್ಚೆಯಾಗಿದೆ. ಆದರೆ ಇಂಥ ಒಂದು ಕ್ಲಾಜಿನ ಆವಶ್ಯಕತೆ ಇದೆಯೇ, ಇಲ್ಲವೇ ಎಂಬುದನ್ನು ಆಲೋಚನೆ ಮಾಡದೆ ಇಂಥಾ ಒಂದು ನಿರ್ಬಂಧವನ್ನು ಕಾನೂನು ಮೂಲಕ ಎಲ್ಲರ ಮೇಲೂ ಜಾರಿ ಮಾಡಲು ಆಗುತ್ತದೆಯೇ ಎನ್ನುವುದನ್ನು ನೋಡಬೇಕಾಗಿದೆ.

ಶ್ರೀ ಎ. ವೆಂಕಟಪ್ಪ.—ಟೌನ್ ಪ್ರದೇಶಗಳಲ್ಲಿ ಏನು ಮಾಡುತ್ತೀರಿ !

ಶ್ರೀ ಡಿ. ದೇವರಾಜ ಅರಸ್.—ಈಗ ಅವರಿಗೆ ಒಂದು immovable property qualification ಇದ್ದರೆ ಅವರನ್ನು ಡೆಪ್ಯುಟಿ ಕಮಿಷನರಾಗಲೀ ಅಥವಾ ಇನ್ನಾವ ಅಧಿಕಾರಿಗಳಾಗಲೀ ಅವರನ್ನು ಸಸ್ಪೆಂಡ್ ಮಾಡುವ ಅಧಿಕಾರವಿರುವುದಿಲ್ಲ. ಈ immovable property ಅನ್ನುವ ಪಕ್ಷದಲ್ಲಿ ಒಂದು ಸಣ್ಣ ಮುರುಕಲ ಗುಡಿಸಲಿದ್ದರೂ ಅದೂ ಈ ಪದದಲ್ಲಿ ಸೇರಿಬಿಡುತ್ತದೆ. ಆದುದರಿಂದ ಇಂಥ ಒಂದು ನಿರ್ಬಂಧ ಸಂಸ್ಥಾನದಲ್ಲಿರುವ ಇಡೀ ಪಟೇಲ್ ಮತ್ತು ಶ್ಯಾನುಭೋಗರ ವರ್ಗಕ್ಕೆಲ್ಲ ಈ ಕಾನೂನಿನ safeguard ಮೇಲೆ ಇದ್ದೇ ಇರುತ್ತದೆ.

ಈಗ ಪ್ರತಿಯೊಬ್ಬರಿಗೂ ಇಂಥ ಒಂದು property qualification ಇದ್ದೇ ಇರುತ್ತದೆ. ಹೀಗಿರುವಾಗ ಈ (9) (A) ತಿದ್ದುಪಡಿ ಅವಶ್ಯಕತೆ ಏನಿದೆ ಎನ್ನುವುದೇ ನನಗೆ ತಿಳಿಯದಾಗಿದೆ. ಆದರೆ ಈಗ ಸಭೆಯು ಮತ್ತು ಸರ್ಕಾರದವರ ಅಭಿಪ್ರಾಯದಲ್ಲಿ ಈಗ ಅವರ ಮೇಲೆ ಇರತಕ್ಕ ಹತೋಟಿ ಸಾಲದೆಂಬುದಾಗಿದ್ದರೆ ನಾವು ಈ ವಿಷಯವನ್ನು ಪುನಃ ಕೂಲಂಕಷವಾಗಿ ಪರಿಶೀಲನೆ ಮಾಡಬೇಕಾಗುತ್ತದೆ. ಹಾಗಿಲ್ಲದೆ ಸುಮ್ಮನೆ ಏನೋ ಒಂದು ಹೊಸ ಸೆಕ್ಷನನ್ನು ಸೇರಿಸಿ ದಾಕ್ಷಿಣ್ಯಕ್ಕೇ ಅದರಿಂದ ನಮ್ಮ ಉದ್ದೇಶವೇನೂ ಸಫಲವಾಗಲಿಲ್ಲ ನಾವು ಏನೋ ಒಂದು ಮನಸ್ಸಂತೋಷಮಾಡಿಕೊಂಡು ಹೋಗಲು ಈ ಒಂದು ಹೊಸ ಸೆಕ್ಷನ್ನನ್ನು ಸೇರಿಸಿದಂತಾಗುತ್ತದೆಯೇ ವಿನಾ ಇದರಿಂದ ಯಾವ ಉದ್ದೇಶ ಸಫಲಗೊಳ್ಳಬೇಕಾಗಿತ್ತೋ ಅದು ಆಗಲಿಲ್ಲ.

ಈಗಾಗಲೇ ಶ್ರೀ ಎಂ. ವಿ. ರಾಮರಾಯರು ಹೇಳಿದ ಹಾಗೆ, ಯಾರಾದರೊಬ್ಬ ಮನುಷ್ಯ ಅಲ್ಲದಸಲ್ಲದಂಥ ಒಂದು ಅರ್ಜಿಯನ್ನು ಜಿಲ್ಲಾಧಿಕಾರಿಗಳಿಗೆ ಆ ಗ್ರಾಮಾಧಿಕಾರಿಗಳ ಮೇಲೆ ಗುಜರಾಯಿಸಿಕೊಂಡರೆ ಸಾಕು ಅದರ ಮೇಲೆ ಅವರು ಈ ಸೆಕ್ಷನ್ (9)(A) ರೀತ್ಯಾ ಏನು ಬೇಕಾದರೂ ಮಾಡಬಹುದು. ಏಕೋ ಇದನ್ನು ನೋಡಿದರೆ ನಾವು ಇಲ್ಲಿ ಹತ್ತಾರು ಘಂಟೆಗಳ ಕಾಲ ಕುಳಿತು ಸುಮ್ಮನೆ ಕಾಲಹರಣ ಮಾಡಿ, ಏನೋ ಅನಾವಶ್ಯಕವಾಗಿ ಭಾಷಣಗಳನ್ನು ಮಾಡಿದ ಹಾಗೆ ಆಗುತ್ತದೆ. ಇಂಥ ಒಂದು ಸೆಕ್ಷನ್ನನ್ನು ಅವರು ಏತಕ್ಕೆ ಇನ್‌ಸರ್ಟ್ ಮಾಡಬೇಕಾಗಿತ್ತು? ಈಗ ನಾವು ಈ ಸೆಕ್ಷನನ್ನು ಒಪ್ಪಿಕೊಳ್ಳುವುದಾದರೆ ಈ ಹಿಂದೆ ತರಲಾಗಿದ್ದ ತಿದ್ದುಪಡಿ ಮಸೂದೆಯಲ್ಲಿ ಏನನ್ನು ಹೇಳಲಾಗಿತ್ತೋ ಅದನ್ನೇ ನಾವೀಗ ಪುನಃ ಒಪ್ಪಿಕೊಂಡ ಹಾಗೆ ಅರ್ಥವಾಗುತ್ತದೆ. ಆದುದರಿಂದ ಇದನ್ನು ಸರಿಯಾದ ರೀತಿಯಲ್ಲಿ ತಿದ್ದುಪಡಿ ಮಾಡದೆ ಹೀಗೆ ಸುಮ್ಮನೆ ಇದನ್ನು ಒಪ್ಪಿಕೊಳ್ಳಿ ಎಂದು ಹೇಳಿದರೆ ನಾವು ಇದಕ್ಕೆ ಒಪ್ಪಲಾರೆವು. ನಾವೂ ಇದಕ್ಕೆ ಒಂದು ಹೊಸ ಸೆಕ್ಷನ್ನನ್ನು ಸೇರಿಸಿದ್ದೇವೆ ಎಂಬ ಒಂದು ಸಂತೋಷಪಟ್ಟುಕೊಂಡು ಮನೆಗಳಿಗೆ ವಾಪಸ್ಸು ಹೋಗಬೇಕಾಗಿದೆ.

ಆದರೆ ಈಗ ಸಭೆಯ ಅಭಿಪ್ರಾಯವೇನಿದೆ ಅನ್ನುವುದನ್ನೂ ಸಹ ತಾವು ಯೋಚಿಸಬೇಕಾಗಿದೆ. ಆದುದರಿಂದ ಈ ಸೆಕ್ಷನ್ (9) (A) ರಿಪೀಟ್ ಆಗಬೇಕೆ, ಅಥವಾ ಇದು ಇರಲೇಬೇಕೆಂದರೆ, ಇದನ್ನು ಯಾವ ರೀತಿ ಬದಲಾವಣೆ ಮಾಡಬೇಕು, ಏನು ಎಂಬ ವಿಚಾರದಲ್ಲಿ on this amendment I want to speak...

ಶ್ರೀ ಕಡಿದಾಳ್ ಮಂಜಪ್ಪ.—ಈ ಮಸೂದೆಯ ಮೇಲಿನ ಚರ್ಚೆಯನ್ನು ತಾವು ನಾಳೆಗೂ ಮುಂದುವರಿಸಬಹುದು. ನನ್ನ ಅಭ್ಯಂತರವೇನೂ ಇರುವುದಿಲ್ಲ.

Mr. SPEAKER.—The discussion on this Bill shall continue next day also. We also take up the debate on Educational Reforms. The House will now rise for the day and meet tomorrow at 12 NOON.

The House adjourned at Five of the Clock to meet again at Twelve of the Clock on Thursday, 16th July 1953.

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